

REMARKS

Claims 1 and 13 have been canceled without prejudice or disclaimer. Applicants reserve the right to pursue the canceled subject matter in a divisional application. Claim 2 has been rewritten in independent form and incorporates all of the limitations of canceled claim 1. In addition, claim 2 has been amended to correct a typographical error; namely, the replacement of “piperidino” with “piperidinyl.” Support for this particular amendment may be found in Applicant’s specification at, for example, page 15, line 1. The amendments to claims 3-10 and 12 remove these claims’ dependencies on canceled claim 1 and delete the presence of any repetitious claim language resulting from the rewriting of claim 2 in independent form.

New method claims 14-19 have been added. Claims 14 and 15 recite methods for producing a p38 kinase and TNF α inhibitory effect, respectively, by the administration of a compound of Formula (I), while claim 16 recites a method for the treatment of rheumatoid arthritis by the administration of a compound of Formula (I). Claims 17-19 are identical to claims 14-16, respectively, except that the compound being administered is 7-amino-4-(3-acetamidoanilino)pyrido[4,3-*d*]pyrimidine, which is not within the scope of now independent claim 2. Support for claims 14-19 can be found in Applicants’ specification at, for example, page 2, lines 18-20; page 35, line 17 to page 36, line 29; page 37, line 2 to page 39, line 12; and page 39, lines 14-30. No new matter has been introduced by any of the amendments. After entry of the above amendments, claims 2-10, 12 and 14-19 will be pending.

Allowable Subject Matter

The Examiner has indicated that claims 2-8 would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims.

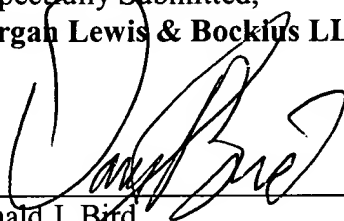
For the record, Applicants disagree with the Examiner's continued rejection of (a) claim 13 under 35 U.S.C. § 102(b) as anticipated by *Thompson*; (b) claims 1, 9-10 and 12 under 35 U.S.C. § 103(a) as unpatentable over *Ugarkar*; and (c) claims 1, 9 and 10 under 35 U.S.C. § 103(a) as unpatentable over *Wiesenfeldt*. However, in an effort to expedite prosecution of this application, Applicants have canceled claims 1 and 13, rewritten claim 2 into independent form, and amended claims 3-10 and 12 such that they depend from amended claim 2. As such, Applicants believe that claims 2-10 and 12 are in condition for allowance. New dependent method claims 14-16 are also limited to the scope of claim 2 and find full support in Applicants' specification. New method claims 17-19 are directed to treatment or disease conditions that clearly are not disclosed in *Thompson* with respect to the recited compound, and are fully supported by Applicants' specification in the same manner as claims 14-16. Applicants believe that these new method claims should be allowable as well.

Conclusion

In an effort to expedite prosecution of this application to allowance, the claims have been amended, without prejudice, to obviate the anticipation and obviousness grounds for rejection. In view of these amendments and the foregoing remarks, it is believed that this application is in condition for allowance. Accordingly, entry of the foregoing amendments and allowance of all claims are believed to be in order, and are respectfully requested.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Director is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or to credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully Submitted,
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